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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4199 OF 2007

M/s.Janta Restaurant and Bar Petitioner
versus
The State of Maharashtra & ors. Respondents

Mr.P.L.Kansara for petitioner.
Mr.R.M.Patne, AGP for respondents.

CORAM : A.S.OKA, J.

DATE : 18th June 2007

PC :

1. Not on board. Taken on board.

2. Heard learned advocate for the petitioner and learned AGP for the State. It is not in dispute that the petitioner has preferred an appeal for challenging the impugned order before the Appellate Authority and the said appeal and application for stay made therein are still pending.

3. In view of pendency of the appeal, this writ petition need not be kept pending. However, the application for stay will have to be decided by

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the appellate authority within a period of one week from today.

4. Hence, the writ petition is disposed of by directing that the application for stay made by the petitioner in the pending appeal shall be decided by the appellate authority within a period of one week from today. All contentions of the parties in the pending appeal are kept open. Learned AGP will communicate this order to the appellate authority. The order will be acted upon by the appellate authority even if certified/authenticated copy of this order is not available. No order as to costs.

(A.S.OKA, J.)